

Application **DENIED WITHOUT PREJUDICE**. Parties shall appear at the conference schedule for November 13, 2024 at 11:30 A.M. EST. Parties may join the conference by dialing 646-453-4442 and entering ID: 852 428 928 followed by the pound (#) key. SO ORDERED.

**EPSTEIN
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The Clerk of Court is respectfully directed to terminate ECF Nos. 15, 18, and 20.

Dated: November 12, 2024
New York, New York



DALE E. HO
United States District Judge
November 11, 2024

VIA PACER

The Honorable Dale E. Ho
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: Moore v. Johnson & Johnson, Vanessa Broadhurst and Howard Reid
24-CV-06405(DEH)

Dear Judge Ho:

On October 22, 2024, we submitted a letter to Your Honor to apprise the Court that the above identified Defendants were recently served with the summons and complaint in this matter, and that Defendants' time to respond to the Plaintiff's pleading runs through December 9, 2024. To date, neither Defendants nor their counsel have filed a notice of appearance and the letter previously submitted was to allow the Court to know that Defendants will be filing a motion to dismiss on the basis of both improper venue in the Southern District of New York on the basis of 42 U.S.C. § 2000e-5(f)(3) and on the basis that the Court does not have personal jurisdiction over the Defendants. In light of the fact that Defendants' time to appear has not yet elapsed, there has also been no corporate disclosure statement filed yet.

Since Defendants do not believe that venue or jurisdiction exists in the Southern District of New York, Defendants are not in a position to enter into a civil case management plan and present the Court a proposed scheduling order, and they are not able to agree to initial disclosures, participate in the SDNY mediation program related to employment cases, and are not prepared to agree to participating in fact or expert discovery, dates when discovery should close, and dates for, among other things, submission to this Court of joint pretrial order.

We believe it reasonable that one would argue that by doing any of the foregoing, would constitute an appearance and since the Defendants do not agree to jurisdiction and venue, and are

U.S.D.J. Hon. Dale E. Ho

October 22, 2024

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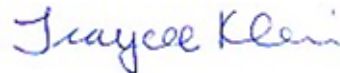
not prepared to voluntarily submit and waive these items, we again respectfully request that the Court adjourn Wednesday's initial case management/scheduling conference.

We request that your Honor So-Order the October 22 letter, or this letter, and that the Court defer the initial case management/scheduling conference until the Court determines whether there is venue in the Southern District of New York and whether there is jurisdiction in New York. We understand that Plaintiff filed a letter with the Court arguing otherwise. We believe the arguments are wholly without merit and believe it is appropriate for us to address the issues in the upcoming motion, and not via letters. Thus, we will address the Plaintiff's arguments at that time and our failure to respond to them in this letter should not be deemed agreement or acquiescence to what Plaintiff states therein.

Thank you for your consideration of this matter.

Respectfully,

Epstein Becker & Green, P.C.



Traycee Ellen Klein

cc: Gregory Feit, Esq. (via ECF/PACER)